



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, }
Plaintiff,
v.
Gerardo Gutierrez-Castro,
Defendant.

Case No.: *ED 08-358-M*

ORDER OF DETENTION

On motion by the government for pre-trial detention, the Court finds that no condition or combination of conditions will reasonably assure the appearance of defendant as required (or the safety of any person or the community).

The Court has considered the nature and circumstances of the offense(s); the weight of evidence against the defendant; the history and characteristics of the defendant; and the nature and seriousness of the danger to any person or the community.

The Court bases the foregoing findings on the defendant's non-objection to pre-trial detention and the Pretrial Services Report/Recommendation. (~~The defendant also has not rebutted the presumption provided by statute.~~) *JP*

IT IS THEREFORE ORDERED that defendant be detained without prejudice prior to ~~trial~~ revocation hearing.

1 IT IS FURTHER ORDERED that defendant be committed to the custody of the
2 Attorney General for confinement in a corrections facility separate, to the extent
3 practicable, from persons awaiting or serving sentences or being held in custody
4 pending appeal; that defendant be afforded reasonable opportunity for private
5 consultation with counsel; and that, on order of a Court of the United States or on
6 request of any attorney for the government, the person in charge of the corrections
7 facility in which defendant is confined deliver defendant to a United States Marshal
8 for the purpose of any appearance in connection with a Court proceeding. This order
9 is made without prejudice to reconsideration.

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11 Dated: 10/7/08

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HONORABLE OSWALD PARADA
United States Magistrate Judge